Writ Petition no. 456(S/S) of 2003

Smt. Kusum Pant -------- Petitioner

Versus

State of Uttaranchal and others….. Respondents

Hon'ble M.M. Ghildiyal J.

Heard Sri Lalit Belwal learned counsel for the petitioner and learned Standing Counsel.

The petitioner who is working as assistant teach in Prathmik Vidalaya Matiyal, Okhalkanda Phase II, district Nainital has prayed for a direction to the respondents to consider the case of the transfer of the petitioner to Haldwani or at any near by place.

The learned counsel for the petitioner has submitted that the petitioner was appointed as assistant teacher and was posted at Prathmik Vidalaya Matiyal, Okhalkanda Phase II, district Nainital in the year 1999 and since then she is serving there. She gave birth to a baby in the month of April 2003. There is none to look after the baby. It is not possible to her to attend the school which is five kilometers from the motor road. The petitioner has applied for transfer. However, her application has not been considered and she has not been transferred from there.

Considering the fact that the lady is having a baby of three months the petitioner is directed to make a representation to the concerned authority, Basic Shiksha Adhikari Nainital within a week and the Basic Shiksha Adhikari Nainital shall consider sympathetically and decide the representation of the petitioner within 10 days from the date of receipt of representation. The writ petition id disposed of accordingly.

(M.M. Ghildiyal, J.)

July 21, 2003
MPS